UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,491	11/13/2001	Christopher J. Feola	45003-45USPT	5649

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EXAMINER
SALL, EL HADJI MALICK

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>24 October 2005</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-19,22,24 and 35-37</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-19,22,24 and 35-37</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the request for continued examination filed on

October 24, 2005. Claims 20, 21, 23 and 25-34 have been canceled. Claims 1, 13, 16–

19 and 24 have been amended. Claims 35-37 have been added. Claims 1-19, 22, 24

and 35-37 are pending. Claims 1-19, 22 and 24 represent content operating system.

2.   *Claim Rejections - 35 USC § 103*

        The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or

described as set forth in section 102 of this title, if the differences between the subject

matter sought to be patented and the prior art are such that the subject matter as a

whole would have been obvious at the time the invention was made to a person having

ordinary skill in the art to which said subject matter pertains. Patentability shall not be

negatived by the manner in which the invention was made.

3.   Claims 1-19, 22, 24 and 35-37 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Diwan U.S. 6,801,936 in view of Peterson et al. U.S. 6,594,682, and

further in view of Goodhand et al. U.S. 5,923,848.

Diwan teaches the invention substantially as claimed including systems and methods for generating customized bundles of information.

As to claims 1, 17 and 24, Diwan teaches a system and method for providing content to a plurality of different types of channels, said system and said method comprising:

A content object including the content to be provided over the plurality of different channels (column 1, lines 47-52, Diwan discloses Systems and methods consistent with the present invention address this need by providing at least one agent that gathers information from multiple sources, packages the information into customized bundles);

At least one container object operable to receive said content object (figure 5, item 540, Diwan discloses agent delivers bundles to subscribers according to rules using multicast techniques).

Diwan fails to teach explicitly a plurality of rules objects operable to apply rules to said content object to prepare the content in a first way for communication over a first one of the different channels and publishing by a certain terminal connected to that first channel and prepare the content in a second way for communication over a second one of the different channels and publication by a certain terminal connected to that second channel.

However, Peterson teaches a plurality of rules objects operable to apply rules to said content object to prepare the content in a first way for communication over a first one of the different channels and publishing by a certain terminal connected to that first channel and prepare the content in a second way for communication over a second one of the different channels and publication by a certain terminal connected to that second channel (column 5, lines 10-18; column 11, lines 48-56, Peterson discloses the user selecting a set of channels from a channel pane and indicate the preferred Web content within each channel).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Diwan in view of Peterson to provide a plurality of rules objects operable to apply rules to said content object to prepare the content in a first way for communication over a first one of the different channels and publishing by a certain terminal connected to that first channel and prepare the content in a second way for communication over a second one of the different channels and publication by a certain terminal connected to that second channel. One would be motivated to do so to allow different types of distribution mechanism (see abstract).

Diwan fails to teach explicitly template the prepared content to meet a certain publishing environment specified by a publisher of the content; and a communication system for communicating the prepared and templated content objects over the first and second channels to the certain publishing terminals connected thereto.

However, Goodhand teaches template the prepared content to meet a certain publishing environment specified by a publisher of the content (column 26, line 62 to

column 27, line 7); and a communication system for communicating the prepared and

templated content objects (column 26, line 62 to column 27, line 7, Goodhand

discloses a e-mail system used to send the message to the recipient; see abstract).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Diwan in view of Peterson, further in view of Goodhand to provide

template the prepared content to meet a certain publishing environment specified by a

publisher of the content; and a communication system for communicating the prepared

and templated content objects over the first and second channels to the certain

publishing terminals connected thereto. One would be motivated to do so to allow a

user to create share custom form without requiring the form to be published or installed

by other user.

As to claim 2, Diwan teaches the system according to claim 1 wherein the

plurality of different types of channels include at least one of a video channel, a print

channel and a web channel (figure 1)

As to claim 3, Diwan teaches the system according to claim 1, wherein one of the

plurality of different types of channels is an Internet channel (column 2, lines 59-60,

Diwan discloses The networks 175 and 180 may include the Internet).

As to claim 4, Diwan teaches the system according to claim 1, wherein said

content object includes more than one of the following: text, graphics, image, video and

sound (column 5, lines 1-2, Diwan discloses the form that the subscriber wants the

bundle delivered (e.g., in text or audio format), etc.).

As to claim 5, Diwan teaches the system according to claim 1, wherein each rule

object includes at least one rule distinct from other rule objects (column 2, lines 43-46,

Diwan discloses the systems and methods gather information from the sources,

package them into customized bundles according to requests and rules defined by the

subscribers and/or agent managers).

As to claim 6, Diwan teaches the system according to claim 5, wherein the at

least one distinct rule is based on a specific channel for which the associated rule

object is associated (column 3, lines 35-46, Diwan discloses...the information providers

145-155 may connect to the network 180 in a number of different ways, including

wired, wireless, and optical connections. For example, information provider 145

connects to the network 180 via a conventional gateway 160...).

As to claim 7, Diwan teaches the system according to claim 5, wherein the at

least one distinct rule is based on a specific terminal for which the associated rule

object is associated (column 2, lines 43-46, Diwan discloses The systems and methods

gather information from the sources, package them into customized bundles according

to requests and rules defined by the subscribers and/or agent managers)

As to claim 8, Diwan teaches the system according to claim 5, further comprising a channel object operable to receive said content object as prepared by said container object (figure 1).

As to claim 9, Diwan teaches the system according to claim 8, wherein said channel object defines a channel of distribution over the network (figure 1; column 2, lines 4-7, Diwan discloses generate multicast messages containing the bundles, and transmit the multicast messages to appropriate ones of the subscribers).

As to claim 10, Diwan teaches the system according to claim 8, wherein said channel object includes at least one of the following channels: Internet, wireless, cellular, and satellite (column 2, lines 54-65, Diwan discloses The networks 175 and 180 may include the Internet).

As to claim 11, Diwan teaches the system according to claim 8, wherein the at least one rule defines a process for which said content object is subject to for distribution over a particular channel (column 1, lines 47-52, Diwan discloses Systems and methods consistent with the present invention address this need by providing at least one agent that gathers information from multiple sources, packages the information into customized bundles, and delivers the bundles to subscribers according to a set of rules using multicast routing techniques).

As to claim 12, Diwan teaches the system according to claim 11, wherein the process includes reducing the amount of data to be distributed (figure 4, item 450, Diwan discloses agent arranges for receipt of information that subscriber desires from information providers). Subscriber can receive less or more information, as he desires.

As to claim 13, Diwan teaches the system according to claim 11, wherein the particular channel is predetermined by said content provider publisher (column 1, lines 37-40, Diwan discloses If a user desires information in this case, the user must determine what information providers supply the desired information and subscribe to their information delivery services).

As to claim 14, Diwan teaches the system according to claim 8, further comprising a directory lookup service for assigning said content object to at least one rule and at least one container object (figure 3).

As to claim 15, Diwan teaches the system according to claim 9, further comprising an object broker (figure 1, item 190).

As to claims 16, 18 and 35, Diwan teaches the system and method according to claims 8, 17 and 24.

Diwan fails to teach explicitly means for templating the prepared content in accordance with a publishing environment specified by the content provider.

However, Goodhand teaches means for templating the prepared content in accordance with a publishing environment specified by the content provider (column 26, line 62 to column 27, line 7).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Diwan in view of Peterson, further in view of Goodhand to provide means for templating the prepared content in accordance with a publishing environment specified by the content provider. One would be motivated to do so to allow a user to create share custom form without requiring the form to be published or installed by other user.

As to claims 19 and 36, Diwan teaches the method and the system according to claims 17 and 24, wherein the first distribution channel a newspaper print publication channel and the second distribution channel comprises one of the following:

email, broadcast, Ethernet, wireless Ethernet, cellular, video and the Internet (column 4, lines 5-16, Diwan discloses column 2, lines 54-65, Diwan discloses The networks 175 and 180 may include the Internet).

As to claims 22 and 37, Diwan teaches the method according to claims 17 and 24, wherein the content includes more than one of the following: text, graphics, image, video, and audio (column 5, lines 1-2, Diwan discloses the form that the subscriber wants the bundle delivered (e.g., in text or audio format), etc.).
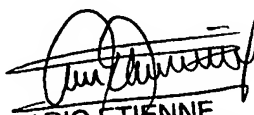
4.   *Conclusion*

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to El Hadji M Sall whose telephone number is 571-

272-4010. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-4010.

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Business Center (EBC) at 866-217-9197 (toll-free).

El Hadji Sall
Patent Examiner
Art Unit: 2157

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PRIMARY EXAMINER